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February 8, 2019

By ECF

The Honorable Ann M. Donnelly
United States District Judge
United States District Court for the Eastern District of New York
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Brooklyn, NY 11201

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Re: *United States v. Dan Zhong*
Criminal Docket No. 16-614 (AMD)

Dear Judge Donnelly:

In light of the Court's January 30, 2019 order conditionally granting the defense's Rule 15 motion, the defense has, through counsel for the proposed deponents (the "Witnesses"), obtained the agreement of a number of the Witnesses to sit for depositions in London, with the protection of the safe passage letters that the government offered. In light of this development, for the reasons set forth below, I write to seek a one or two-week adjournment of the trial. The government consents to this request.

Several important issues need to be finalized before we can actually take the depositions. We have been informed that the Witnesses need to obtain visas to travel to England and that that process will not be completed until sometime next week. Further, in coordination with counsel for the Witnesses, defense counsel must travel to China to prepare the Witnesses for the depositions. Thereafter, counsel and the Witnesses must fly to London, where they will be joined by members of the prosecution team for the depositions. In the interim, the defense will need to line up the necessary translation, videography and court reporting services.

With all that in mind, as a practical matter, the earliest we can conduct the depositions in London will be February 20 through February 22. The government has agreed to those dates. However, the parties also agree that such a schedule will make starting the trial on February 25 as currently scheduled impractical.

Accordingly, we respectfully request a one-week or two-week adjournment – as best suits the Court's calendar – for the commencement of trial. As noted, the government consents to this request.

Respectfully submitted

/s/ Robert J. Cleary
Robert J. Cleary

cc: AUSA Alexander A. Solomon (by ECF)
AUSA Ian C. Richardson (by ECF)
AUSA Craig R. Heeren (by ECF)